

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
OCTOBER 14, 2004

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control ("EQC")

- II. **SUBJECT:** Administrative and Consent Orders issued during the period June 1, 2004, through August 31, 2004.

- III. **FACTS:** For the period June 1, 2004, through August 31, 2004, EQC issued one hundred (100) Consent Orders with total assessed civil penalties in the amount of \$526,898.75. There were seven (7) Administrative Orders placed in force during this reporting period with total assessed civil penalties of \$72,317.00. One (1) amendment to a Consent Order was issued.

Unless otherwise specified, "Previous Orders" as listed in this report include the orders issued by Environmental Quality Control programs within the last five (5) years.

Bureau	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land & Waste Management				
Hazardous Waste	0	\$ 0	8	\$ 54,843.75
Solid Waste	1	6,000	4	30,540
UST Program	3	28,417	7	1,750
SUBTOTAL	4	\$34,417	19	\$ 87,133.75
Water				
Drinking Water	1	\$ 6,500	24	\$ 50,665
Water Pollution	2	31,400	29	162,900
SUBTOTAL	3	\$37,900	53	\$ 213,565
Air Quality				
SUBTOTAL	0	\$ 0	30	\$ 226,200
TOTAL	7	\$72,317	*102	\$ 526,898.75

***Drinking Water Enforcement and Water Pollution Enforcement are each credited with a consent order in the table for two multi-media orders, which totals 102. The actual number of EQC consent orders issued is 100.**

ANALYSIS: During the reporting period, Water Pollution Enforcement and Drinking Water Enforcement issued a joint Consent Order against a municipality for numerous violations of the Pollution Control Act, the Water Pollution Control Regulations, the State Safe Drinking Water Act, and the State Primary Drinking Water Regulations. The Consent Order included a civil penalty of \$51,000.00 to be paid in quarterly installments. The municipality has agreed to take all necessary actions to correct the violations and to prevent their reoccurrence, including, but not limited to the following: develop and implement a capacity, Management, Operations, and Maintenance Plan, submit a corrective action plan with a schedule to address deficiencies in the waste water collection system, submit a viability study, and submit a business plan to address current and future needs of the public water system.

Air Quality Enforcement issued a Consent Order against a University for numerous violations of U.S. EPA Regulation 40 CFR, the South Carolina Air Pollution Control Regulations, and its Title V Operating Permit. The violations included, in part, failure to maintain usage records of finishing materials for cabinet and woodworking operations, failure to properly calculate monthly volatile organic compound and hazardous air pollutant emissions, failure to install, operate, and maintain baghouse pressure drop gauges, failure to properly operate baghouses, failure to properly operate fuel burning sources, and failure to obtain necessary permits prior to installing and operating equipment. The Consent Order included a civil penalty of \$34,000.00. The Department discovered the violations during several inspections and records reviews. The University has agreed to correct the violations cited in the Consent Order and ensure future compliance with the appropriate regulations and its Title V Permit.

Solid Waste Enforcement issued two Consent Orders against a county for failure to close a sanitary landfill in accordance with the approved closure plan and for several operational violations at a construction and demolition landfill. The Consent Order for the sanitary landfill included a civil penalty of \$14,700.00, and the Consent Order for the construction and demolition landfill included a civil penalty of \$11,640.00. The county has agreed to submit corrective action plans for both landfills on or before October 12, 2004, to correct the violations.

Of the one hundred (100) Consent Orders issued by EQC enforcement programs during the reporting periods, the enforcement programs report, to date, that eighty-eight (88) Respondents have either complied with all requirements of the orders or are currently in compliance with schedules required in those orders.

Submitted by:

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